

Notice of Allowability

Application No.

09/987,902

Applicant(s)

YAGI ET AL.

Examiner

Art Unit

Igor N. Borissov

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview Summary of 2/01/2007.
2. ☒ The allowed claim(s) is/are 5,6,12-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Response to Amendment

Amendment received on 11/06/2006 is acknowledged and entered. Claims 1-4, and 7-11 have been canceled. Claims 5 and 12 have been amended. Claims 5, 6, and 12-15 are currently pending in the application.

Remarks

A personal interview was conducted on Thursday, February 01, 2007, during which possible amendments to the claim were discussed to overcome the teachings of the prior art of record, as well as to address 35 USC § 112 issues. Finally, the agreement was reached, and the examiner indicated allowability of the claims over the prior art of record. As a result of the interview, the representative gave the authorization for the Examiner's Amendment to place the claim into the condition of allowance. Accordingly, Claim Rejections under 35 USC § 112 and 35 USC § 103 have been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative Thomas E. Brown (Reg. No.: 44,450) on Thursday, February 1, 2007.

The application has been amended as follows:

IN THE CLAIMS

Claims 1 - 4 (Cancelled).

Claim 5 (Currently Amended): A method for collectively receiving power at a high voltage and distributing at a low voltage to a plurality of users, ~~which comprises~~ comprising:

collectively receiving power, at a receiving and distributing part, said power is purchased by a management company based on a purchase contract with an electric power company in consideration of the total amount of necessary power at a high voltage[[,]];

~~grasping~~ determining a maximum current capacity necessary for each of the users[[,]];

determining a ~~contracted~~ current to be contracted for each of the users depending on the maximum current capacity[[,]];

setting an adjustable current limiter to said determined contract current for each of the users[[,]] ~~and~~;

distributing said received power by said receiving and distributing part at a low voltage to each of the users[[,]];

~~further comprises making~~ receiving a request for a necessary current capacity ~~by~~ from each of the users[[,]];

allocating a current capacity based on the request to each of the users[[,]]; ~~and~~

changing the contracted current to be distributed to each of the users[[,]];

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~~and further comprises~~ determining a user who adds a current capacity by an auction when a total requested current capacity is larger than a total contracted current to be distributed; and

changing the setting of the current limiter for said user who adds depending on said determined additional current capacity.

Claim 6 (Previously Presented): The method for collectively receiving power at a high voltage and distributing at a low voltage to a plurality of users according to claim 5, wherein

each of the users is charged a penalty when a current actually used exceeds the contracted current allocated to each of the users.

Claims 7 – 11 (Cancelled).

Claim 12 (Currently Amended): A collective housing for collectively receiving power at a high voltage and distributing at a low voltage to a plurality of users, ~~which comprises~~ comprising:

~~a receiving and distribution part~~ means for collectively receiving power, said receiving power which is purchased by a management company based on a purchase contract with an electric power company in consideration of the total amount of necessary power at a high voltage; and

means for distributing said received power at a low voltage to each of the users;

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a server ~~for~~ configured to control a distribution status of each of users and ~~determining~~ determine a contracted current for each of the users on the basis of information on each of the users supplied to the server;

a control device ~~for~~ configured to control and display information on power consumed by each of the users;

a current limiter provided to each of the users, the current limiter being set to the determined contracted current and controlled on the basis of information from the server; and

a network for connecting said sever to said control device and to each of the users; and

means for determining a user who adds a current capacity by an auction when a total requested current capacity is larger than a total contracted current to be distributed and changing the setting of the current limiter for said user who adds depending on said determined additional current capacity.

Claim 13 (Currently amended): The collective housing for collectively receiving power at a high voltage and distributing at a low voltage to a plurality of users according to claim 12, wherein said server is further configured to receive information regarding an excessive current capacity which is not necessary for one user, ~~is given to the server,~~ receive information on another user willing to increase a contracted current, ~~is given to the server,~~ and allocate the excessive current capacity ~~is allocated~~ to the another user on the basis of the information received at the server.

Claim 14 (Currently amended): The collective housing for collectively receiving power at a high voltage and distributing at a low voltage to a plurality of users according to claim 12, wherein said server is configured to receive information ~~[[on]] regarding a maximum current capacity required by each of the users, is given to the server, and the server determine~~[[s]] the contracted current of each of the users on the basis of the information; and distribute[[s]] the power to each user.

Claim 15 (Cancelled).

Allowable Subject Matter

Claims 5, 6, and 12-15 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 5 and 12, the best prior art, Weiss (US 6,681,156) in view of Tanner, Jr. et al. (US 6,636,784) and further in view of Fesmire et al. teaches a method for distributing power, comprising: collectively receiving power, at a receiving and distributing part, said power is purchased by a management company based on a purchase contract with an electric power company in consideration of the total amount of necessary power at a high voltage; determining a maximum current capacity necessary for each of the users; determining a current to be contracted for each of the users depending on the maximum current capacity; setting an adjustable current limiter to said determined contract current for each of the users; distributing said received power by said receiving and distributing part at a low voltage to each of the users.

However, Weiss in view of Tanner, Jr. et al. and further in view of Fesmire et al. fails to teach or fairly suggest that upon receiving a request for a necessary current capacity from said each of the users, allocating a current capacity based on said request and changing the contracted current to be distributed to said each of the users; and further determining a user who adds a current capacity by an auction when a total requested current capacity is larger than a total contracted current to be distributed; and changing the setting of the current limiter for said user who adds depending on said determined additional current capacity.

The best NPL prior art, NEVADA PSC REHEARING ORDER PUTS TUSCARORA PROJECT BACK ON TRACK; (Inside FERC October 10,1994; Pg 4; Journal Code: FERC ISSN: 0-163-948X; DIALOG; File 624: 0613458), while teaching varying contracted demand level for utilities, fails to teach or fairly suggest that upon receiving a request for a necessary current capacity from said each of the users, allocating a current capacity based on said request and changing the contracted current to be distributed to said each of the users; and further determining a user who adds a current capacity by an auction when a total requested current capacity is larger than a total contracted current to be distributed; and changing the setting of the current limiter for said user who adds depending on said determined additional current capacity.

The best foreign art, Kuramitsu (JP401097137A), appears to disclose a power control method, wherein, when the quantity of power consumed exceeds a contract demand, a remote computer controls a corresponding breaker so that a load is interrupted and the so-called demand control is performed. However, Kuramitsu fails to teach or fairly suggest that upon receiving a request for a necessary current capacity from said each of the users, allocating a current capacity based on said request and changing the contracted current to be distributed to said each of the users; and further determining a user who adds a current capacity by an auction when a total requested current capacity is larger than a total contracted current to be distributed; and changing

the setting of the current limiter for said user who adds depending on said determined additional current capacity.

The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claims.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 703-305-4649. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IB
2/11/2007



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PRIMARY EXAMINER